

SERIAL NO. 10/085,163
ATTY DOCKET NO. 24161196.2

REMARKS/ARGUMENTS

The Applicant respectfully requests reconsideration of the present Application in view of the foregoing amendments and the following remarks/arguments. Claims 1-17 were originally filed with the present Application. In the present Amendment, the Applicant has amended claims 1 and 15-17, and have cancelled claims 9 and 11 without prejudice or disclaimer. Claims 18-34 have also been added. Accordingly, claims 1-8, 10 and 12-34 are now pending in the present Application. No new matter has been added.

I. REJECTIONS UNDER 35 U.S.C. §101

The Examiner has rejected independent claim 1 under 35 U.S.C. §101 for allegedly being inoperative and therefore lacking utility. Specifically, the Examiner believes this claims lacks utility because the hardware device of claim 1 does not send any keys or perform and function that meets the utility requirement of §101. Although the Applicant does not necessarily agree with the Examiner's assessment of claim 1, in order to advance the prosecution of the present Application the Applicant has amended claim 1 to more clearly recite the utility function of the device in claim 1. Accordingly, the Applicant respectfully requests that this rejection be withdrawn.

II. REJECTIONS UNDER 35 U.S.C. §102

The Examiner has rejected claims 1, 6 and 12 under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,847,719 to Ballard. Although the Applicant does not necessarily agree with the Examiner's position, in order to further advance prosecution of the present Application, the Applicant has amended independent claim 1 to include the limitations of

SERIAL No. 10/085,163
ATTY DOCKET No. 24161196.2

original dependent claim 11, which the Examiner has indicated in the pending Office Action recites allowable subject matter. In view of this amendment, the Applicant requests that this rejection be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. §103

The Examiner has rejected dependent claims 2-5 and 13-17 under 35 U.S.C. §103(a) as allegedly being unpatentable over Ballard in view of U.S. Patent No. 5,825,876 to Peterson, Jr. Also, the Examiner has rejected dependent claims 7-9 under 35 U.S.C. §103(a) as allegedly being unpatentable over Ballard in view of U.S. Patent No. 5,534,857 to Laing, *et al.* In addition, the Examiner has rejected dependent claim 10 under 35 U.S.C. §103(a) as allegedly being unpatentable over Ballard in view of Laing, and further in view of U.S. Patent No. 6,246,771 to Stanton. As discussed above, newly amended independent claim 1 is allowable over the art of record, and thus the Applicant respectfully asserts that all of these rejected dependent claims, which depend from claim 1, are also now allowable over the prior art of record. Accordingly, the Applicant requests that this rejection also be withdrawn.

IV. CONCLUSION

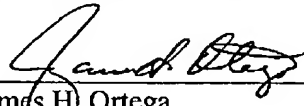
The Applicant respectfully submits that pending claims 1-8, 10, and 12-34 are in condition for allowance, and requests a Notice of Allowability for the pending claims. The Examiner is invited to contact the undersigned Attorney of Record if such would expedite the prosecution of the present Application. The Applicant has included the fee for the newly added claims along with the present Amendment; however, if it is determined that additional fees are

SERIAL No. 10/085,163
ATTY DOCKET No. 24161196.2

due, or an overcharge has occurred, please charge or credit Deposit Account No. 13-0480,
referencing the Attorney Docket Number specified herein.

Respectfully submitted,

Date: 12/23/05


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